

meganwhittington30@gmail.com

Thomas v. Adm'r of Children's Servs. 21-CV-47 (MKB) (E.D.N.Y. Feb. 10, 2021)

action on December 23, 2020, on her own behalf and on behalf of her minor children T.J. and Y.J. against Defendants Administration for Children's Services ("ACS"), Jewish Child Care Association ("JCCA"), and Catholic Guardian on. (Compl. 1, 5, Docket Entry No. 2.) The Court liberally construes the Complaint as seeking relief pursuant to 42 U.S.C. § 1983 for the alleged unlawful removal of Plaintiff's children from her custody in violation of her parental rights. The Court grants the application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915(a). (Mot. dated Dec. 23, 2020.)

Orlik v. Dutchess County 603 F. Supp. 2d 632 (S.D.N.Y. 2009) Cited 11 times

defendants"), individually and in his capacity as supervisor; and the Dutchess County Department of Social Services ("DSS" and, together with Dutchess County, State of New York and the individual defendants, the "defendants"). Plaintiff sues under 42 U.S.C. § 1983, alleging various claims arising out of defendants' allegedly wrongful removal of Jared from the custody of plaintiff. Defendants now move for summary judgment, on the ground that the individual defendants are entitled to qualified immunity. For the reasons stated herein, defendants' motion is granted with respect to Tilton, Woolsey,

In re Hui Lian Ke Case No. 17-cv-04951-EMC (N.D. Cal. Dec. 7, 2017)

of the intrusion is reasonably necessary to avert that specific injury." *Sjurset v. Button*, 810 F.3d 609, 617 (9th Cir. 2015) (quoting *Wallis v. Spencer*, 202 F.3d 1126, 1138 (9th Cir. 2000)). A claim for a due process violation based on the removal of Plaintiff's children could be asserted under § 1983 and would give this Court federal question jurisdiction over the case(s) in which such a claim is asserted. B. An Amended Complaint in Each Action Is Needed to Cure the Pleading Problems Each complaint is a rambling jumble of ideas that is largely incomprehensible. Plaintiff mentions numerous

Yagoda v. Davis NO. 7:11-CV-122-BO (E.D.N.C. Jan. 13, 2016)

"Threadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (citing *Twombly*, 550 U.S. at 555). Plaintiff appears to be asserting a claim for damages under 42 U.S.C. § 1983 for violation of her constitutional rights in connection with the removal of her daughter from her home. [DE 3, 7]. Plaintiff's complaint meets the relatively low bar of stating a claim upon which relief can be granted, so defendant's motion to dismiss is

denied. [DE 59]. Defendants' motion for summary judgment,

Keilch v. Romero Case No. 15-CV-01526-LHK (N.D. Cal. Aug. 18, 2016) Cited 1 times

Factual Background The instant case involves a single claim brought under 42 U.S.C. § 1983 for the allegedly unlawful removal of Plaintiff's son R.J. from Plaintiff's custody in April 2013. Plaintiff alleges that Defendant intentionally made materially false statements and misrepresentations in support of Defendant's application for a protective custody warrant to remove R.J. from Plaintiff's custody. The following facts regarding the circumstances of the protective custody warrant are undisputed.

Vela v. U.S. Gov't Health & Human Services, Child Welfare 1:20-cv-01152-NONE-HBK (E.D. Cal. Nov. 17, 2021) are merely conclusory, unreasonable inferences, or unwarranted deductions. *Western Mining Council v. Watt*, 643 F.2d 618, 624 (9th Cir. 1981). Nor are legal conclusions considered facts. *Iqbal*, 556 U.S. at 678. Liberally construed, the Complaint appears to be attempting to state a Fourteenth Amendment Claim stemming from the removal of Plaintiff's children from her home by a state social worker. "Parents and children have a well-elaborated constitutional right to live together without governmental interference." *Wallis v. Spencer*, 202 F.3d 1126, 1136 (9th Cir. 2000). "The Fourteenth Amendment



Jail credit for time served on other charges

1 message

Brad Pollack <bgpollack@gmail.com>

Tue, Dec 7, 2021 at 3:16 PM

To: Todd Gilbert <tgilbert@shentel.net>

Cc: Megan Whittington <meganwhittington30@gmail.com>, Alic Whittington <alicwhittington8@gmail.com>

Dear Todd,

Megan Whittington is now being held over for a second time due to the jail not giving credit for other charges as the judges clearly intended. Please confirm that you will ask Legislative Services to draft a bill to fix this.

Can't believe this is the first time I have ever asked you to introduce a bill.

Thanks very much,

Bradley G. Pollack
Attorney at Law
753 South Main Street
Woodstock, VA 22664
bgpollack@gmail.com
540-459-8600
540-335-4712 (cell)
540-459-8670 (fax)

Dear Mr. Barber,

In response to JPG Towing, I had a friend of mine within days of my arrest try and retrieve my vehicle and Penny Shipe refused to allow my truck to be released to him. I was never informed to make a call from jail to have my vehicle released nor were those resources available to me. When I called JPG Towing myself on Dec.9, 2021, the day I was released. When I asked Ms. Shipe the cost to have my truck released she stated \$1000.00. I then informed her that I have my own business as an interior/exterior painter and offered my services as a trade. After spending 34 days in police custody, physically unable to retrieve my truck or keep employment I faced a great struggle. She refused my offer, so I then asked Ms. Shipe if I could retrieve my personal belongings while I try to figure out how to get the money for my truck and she told me that I had to give her the title to my truck if I wanted my things. I was completely baffled and hung up the phone, without aggression of any sort. The following day on Dec. 10, 2021, around 12:41 P.M. I received a return call from state police, phone number 1-540-677-0023. My question was, is it legal for the tow company to hold my personal belongings in trade for the title to my vehicle? The State Trooper stated that was illegal and told me he would call her and let her know. Within 15 minutes of the officer calling me back, Penny Shipe called me screaming I was a dumb bitch and since I called the police it was now going to cost me \$1700 and if I wanted my things I still had to give her my title and she then hung on me. Moments later, State Policeman called me again to tell me he spoke with Penny Shipe at JPG Towing, when I asked him what he did to make her angry, also informing him that she now was charging me \$1700.00. He then stated that it was out of his jurisdiction and I would have to call on local authorities. I then on Dec 14, 2021, filed a complaint with Consumer Services in hopes of retrieving my vehicle for it is my livelihood and I desperately need it.

Respectfully,

Megan Whittington
120 Hottel Road
Woodstock, VA. 22664
540-333-1401
1/04/2022



Virginia State Bar

Lawyer Complaint Form

NOTE: Send in this form if you have concerns about a lawyer's conduct. Your complaint might result in discipline to the lawyer. If you are seeking other remedies against the lawyer, you may need to seek legal advice from a lawyer in private practice. Also, the bar may require your further involvement in an investigation by asking you to be interviewed by a bar investigator and/or to participate at a hearing.

Please DO NOT send original documents to the Virginia State Bar. Preserve all original documents until your complaint has been resolved. In addition, please redact personally identifying information such as Social Security numbers, date of birth, driver's license numbers, etc. All documents will be destroyed in keeping with the bar's records and destruction policies.

Please enter valid values in the following fields:

- Your Home Phone Number - Must be in form: (XXX) XXX-XXXX
- Lawyer Phone Number Name - Must be in form: (XXX) XXX-XXXX
- Additional Information - Phone Number Name - Must be in form: (XXX) XXX-XXXX
- Additional Information - Phone Number Name - Must be in form: (XXX) XXX-XXXX
- Question 4 Comments (at most 100 characters)

Fields denoted by * are required.

Your Name:

☐ Mr. ☐ Mrs. ☒ Ms.

* First: MEGAN Middle: Last: WHITTINGTON

Your Address:

* Street: 120 HOTTEL RD
* City: WOODSTOCK * State: Virginia Zip Code: 22664
* Email address: meganwhittington30@gmail.com

Daytime Telephone No.:

Number:

(Home) ! (540)692-0881

(Work)

Other Telephone No. (and times you can be reached):

Number:

Times:

Lawyer's Name:

* First: Brian Middle: Last: Layton

Lawyer's Address:

Firm Name, if known: Assistant Commonwealth Attorney Phone Number: (540)459-6129
Street: 215 Mill Rd Ste 109
* City: Woodstock * State: Virginia Zip Code: 22664

10/16/2020 Lawyer's Actions Complained of (limited to 4800 characters):

office I NEVER DID. My son has not ever been in trouble and this truancy issue is ruining his juvenile life last night police were at my door to arrest my 16 year old son for missing his first appt, Ordered by Chad Logan and after our hearing today being bullied against by The Commonwealth Att, Judge Chad Logan, and Miss Jennifer Lowery. All in Juvenile and Domestic Court, they kept my sweet innocent son with no reason for 11 days until his court hearing. I was attacked at every angle today. I need to get my son out of there PLEASE HELP ME

List the Names, Addresses and Phone Numbers of persons who might be able to give additional information about your complaint:

Name:	Address:	Phone Number:
Mike Stanley	Woodstock, VA	(540) 551-1015
Joe Hopson	Harrisonburg, VA	(540) 484-8565

Please answer the following questions:

* 1. Have you or a member of your family contacted us about this lawyer before?

☐ Yes ☒ No

If yes, please state when you made the complaint and the outcome of that complaint (limited to 160 characters):

* 2. Have you filed a complaint or legal action about this matter anywhere else? (limited to 120 characters)

☐ Yes ☒ No

If yes, state where and the outcome:

* 3. Describe your relationship to the lawyer who is the subject of your complaint by choosing from the following:

- ☐ I am the lawyer's client
- ☐ I am the lawyer's former client
- ☐ I am a relative or friend of the lawyer's client
- ☒ I am an opposing party
- ☐ I am an opposing lawyer
- ☐ Other

If Other, please explain (limited to 68 characters):

10/16/2020

Complaint Form

Asst. Commonwealth Att Brian Layton
Juvenile probation Jennifer Lowery
Judge Chad Logan

* 4. What is the nature of your legal case? When was the lawyer employed or appointed to represent you? How much money, if any, was the lawyer paid to represent you? (limited to 100 characters)

been in trouble before and was
arrested in the middle of the night
and they wont give him back to me

* 5. Is your concern only that you think the lawyer charged you too much?

☐ Yes ☒ No

If yes, you should contact the bar at (804) 775-9423 for information on fee dispute resolution.

* 6. Have you read the brochure describing the bar's attorney disciplinary process located under the Public Resources tab?

☐ Yes ☒ No

Electronic Signature:

By checking this box I certify that all information on this form is true and correct. I understand that the content of my complaint can be disclosed to the lawyer. I also agree that the checkbox and my name typed below are to be used as my electronic signature.

* ☒ I certify that the above information is true and correct

* Signature:

Megan Whittington

* Date (mm/dd/yyyy):

10/16/2020

Submit Form

To ensure that you receive our reply email, please add Intakereb@vsb.org to your address book or safe list.

Additional information and documents must be mailed to:

Virginia State Bar
Intake Office
707 East Main Street, Suite 1500
Richmond, VA 23219-2800



VIRGINIA'S JUDICIAL SYSTEM

Americans with Disabilities Act
Grievance Form

GRIEVANT INFORMATION

LAST NAME Whittington FIRST NAME Megan MIDDLE NAME De'an
 ADDRESS: 120 Hottel Rd CITY Woodstock STATE Va ZIP 22664
 PHONE NUMBER HOME 5406920881 WORK (OPTIONAL) 5406920881 DATE 10/29/2020

ALTERNATE CONTACT

LAST NAME FIRST NAME MIDDLE NAME
 ADDRESS: CITY STATE ZIP
 PHONE NUMBER HOME () WORK (OPTIONAL) ()

COMPLAINT INFORMATION

ENTITY ALLEGED TO HAVE DISCRIMINATED/DENIED ACCESS ☐ Supreme Court ☐ Court of Appeals ☐ Circuit Court ☐ General District Court
☒ Juvenile & Domestic Relations District Court ☐ Other _____

LOCATION (CITY/COUNTY) Woodstock, Va. 22664 DATE OF INCIDENT 10/17/2020

COURT DIVISION/UNIT (i.e. Criminal, Traffic) -- if applicable Juvenile&Domestic Relations

DESCRIBE YOUR DISABILITY AND PROVIDE SUPPORTING DOCUMENTATION:

I suffer with insomnia, four time PTSD diagnosis, extreme anxiety and depression, slight autism I have an extremely hard time understanding and remembering. It is very difficult for me to try and explain myself and my disabilities are mental and never understood and they think that because I may not look sick I am

PLEASE DESCRIBE THE PARTICULAR WAY IN WHICH YOU BELIEVE YOU HAVE BEEN DENIED ACCESS TO ANY SERVICE, PROGRAM, OR ACTIVITY OF THE JUDICIAL SYSTEM, OR HAVE OTHERWISE BEEN DISCRIMINATED AGAINST BECAUSE OF, OR RELATED TO, A DISABILITY. PLEASE SPECIFY DATES, TIMES OF INCIDENTS, AND NAMES OR POSITIONS OF COURT EMPLOYEES INVOLVED. PLEASE PROVIDE NAMES, ADDRESSES AND TELEPHONE NUMBERS OF ANY WITNESSES. PLEASE ATTACH ADDITIONAL PAGES IF NECESSARY. YOU MAY ALSO EMAIL ADACoordinator@VACOURTS.GOV OR FAX TO (804) 786-0109.

I had written a very respectful letter asking for help for my son considering that my son refused the appointment because I wasn't feeling well and the appointment was on Oct. 30, 2020, and without my seeing the police officer and arrested my son and it is now Oct. 29, 2020 and my son has been detained for two

I feel like the court made fun of my letter laughing and denying my son be allowed home

CASE INFORMATION

DO YOU HAVE A PENDING CASE? ☒ YES ☐ NO

If Yes:
COURT Shenandoah Juvenile&Domestic Court

NAME OF JUDGE Chad Logan

CASE NUMBER _____

(CHECK ONLY ONE)

☐ Supreme Court ☐ Court of Appeals ☐ Circuit Court ☐ General District Court
☒ Juvenile & Domestic Relations District Court ☐ Other J-10414-09-00

IF YOU NEED HELP IN COMPLETING THIS FORM, CONTACT THE CLERK OF COURT OR ADA COORDINATOR, OFFICE OF THE EXECUTIVE SECRETARY, SUPREME COURT OF VIRGINIA, 100 NORTH 9TH STREET, 3RD FLOOR, RICHMOND, VIRGINIA 23219. PLEASE RETURN THIS FORM TO THE ADA COORDINATOR, DR. RENÉE FLEMING MILLS, AT THE FOREGOING ADDRESS, AND IF IT INVOLVES A PENDING CASE, PLEASE ALSO PROVIDE A COPY TO THE CLERK OF COURT.

SIGNATURE 

DATE 10/29/2020

10/16/2020

The Honorable Judge Chad Logan

215 Mill Rd., Suite 228 Woodstock, Va.22664

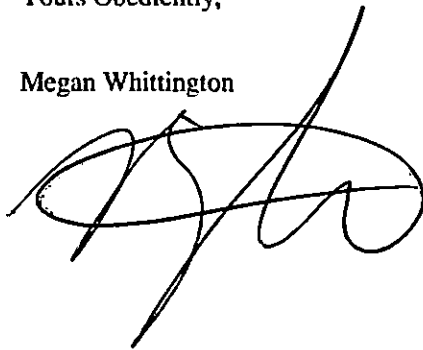
Dear Judge Logan,

I'm sending this letter requesting leniency on behalf of my son Alic Stanley, who was convicted of Breaking a Court Order on 10/09/2020, for failure to appear for aprobation meeting. I am Alic's mother, and hedid not appear on the day of 10/09/2020, because I was sick with a stomach bug the prior evening on 10/08/2020 until Monday morning 10/12/2020. When the following day 10/13/2020 Alic ended up sickwith the same symptoms as mine. The Probation Officer assigned to my son's case did not have a business card available when he came to ourhouse, therefore I did not know his name ortelescope number, and I did not receive one call about our missed appointment. My son Alic Stanley, briefly explained to me the in days following the missed appointment, that Jennifer had come to our home for the second time, confronting my son with a mouth swab drug screen, and he refused, with the reason being that the first mouth swab test he was given read-a False-positive result'for marijuana. I did not trust the results so I had taken him to his Dr. for blood work, the following day and all results were negative. Alic is not allowed by me as his mother to take a mouth swab for a drug screen. The charges of Truancy in which brought us beforeyou in the first place, with my son not ever committing acts of truancy. School Principal, Mrs. Swortzel, agreed to work with Alic and advocate for him, after I explained to her the trauma our family had recently suffered and we as a family were recovering from, I had her full support, she even wrote a letter in support of my son absences being caused by reasons out of his control, that was not ever allowed to be heard in court, and last night my son was taken from our home in the middle of the night, with no warning. As a single mother, having raised my sons alone, we have not ever been separated. After recently witnessing the traumatic and sudden death of my father I am now suffering with PTSD, night terrors, insomnia, anxiety, and depression and as of last night, a new fear was instilled in mewhen my son was taken from me where I am supposed to feel safe at home. I understand the importance of my son's education and he does as well, he is a smart kid with a bright future ahead of him, and he is caught up on his schoolwork, completing hours each day as required, giving me no trouble, and doing his schoolwork without me having to enforce. Alic cares about his future and plans to be an electrician one day. Please, take into consideration the circumstances which have brought us before you and I ask for your leniency withmy son. Juvenile Detention Center is not where my son needs or deserves to be.

Thank You for Consideration,

Yours Obediently,

Megan Whittington

A handwritten signature in black ink, appearing to be 'Megan Whittington', written over a horizontal line.

Dear Judge Black,

I would first like to say I am truly sorry for my missed court appearances and for the delay in making contact with you. Honestly Judge Black, I did not know how to speak to you and I still don't but I have to try and I'm going to do my best because I really miss my son and I hope that I am able to explain it well enough to you through the display of events. I entered the courtroom completely at a disadvantage. Having mental disabilities as a result of mental and emotional trauma. My disorders have a negative impact on my life, causing me to have difficulty communicating, concentrating, focusing, and sleeping. I avoid situations, people, and activities, and I overreact to everyday events. I am easily scared and have emotional outbursts, making it impossible for me to remain calm in fearful situations. Mental disabilities are not taken seriously and are certainly not understood.

My name is Megan Whittington, and on 12/21/2018, I witnessed the sudden death of my dad in the home I shared with my sons. I experienced some issues after losing my dad and it caused my son Alic's attendance to be out of his control from 2019-2020. We received a truancy petition in August 2020, and I was in the process of moving myself and the boys into our own home again in over a year.

The court date for my son's truancy case began on 9/22/2020. Charles Ramsey provided us with extremely poor representation that was of no benefit to us. When I tried to explain that my son's absences were out of his control and I was repeatedly ignored. It was a misunderstanding caused by Central High School's poor communication. My son was punished and placed under house arrest, as well as subjected to weekly drug tests and monitoring.

10/14/2020, police came to our house at almost midnight to arrest my son Alic after I failed to take him to a court-appointed meeting the prior week on 10/08/20

Alic had video court on 10/16/2020 and was denied release. I didn't handle it well, having a panic attack and feeling overwhelmed by anxiety. My son had poor representation, with Court-appointed attorney Charles Ramsey still clueless about the case and not assisting in any way, so I called Joseph Hopson at Gene Hart law firm to schedule an appointment for Mon 10/19/2020 to hire my son's defense in the hopes of getting Alic released from detention.

10/27/2020, Alic's second hearing to be released, SCDSS was put on notice and Stephanie CoolDanner ordered immediately that Alic couldn't come home with me and he was held in detention. Then I was immediately threatened by Danner that my son would be placed in foster care if I didn't find a safe place for him to live. Not ever having been to my house to know that my son is safe and loved deeply at home. My son's attorney, Joseph Hopson displayed no defense whatsoever and walked out of the courthouse laughing with Stephanie Cool-Danner. There was not ever evidence to justify removing my son from home and there still isn't, especially the immediate removal of my son. Separating us instantly

CPS stating there must be evidence of abuse or neglect in order to remove a child from their home and an emergency removal order has to be filed with a petition providing evidence that abuse or neglect has taken place

My children have always been safe and loved, I have not and would not ever hurt my children.

I kept two jobs most of their lives to provide safety and security for my children, with them always coming first without question.

11/4/2020, Alic was finally released into the custody of Sheryl Jiménez, his best friend's mother. Stephanie Cool-Danner recommended I only be allowed supervised visitations with my 17-year-old son. Still with no evidence to back up any alleged abuse or neglect or that any type of drug use has ever created a risk of harm to my children. Again, I have not ever even had accusations made against me involving concern for the safety and well-being of my children

12/03/21, Judge Logan allowed Alic to come home barely over 45 days. By law, a CPS investigation is to last 45 days but no longer than 60 days. Stating that if investigation is to last longer than 45 days that it is required that the

Mom I'm not tired at all all I'm thinking
about is you and olivia and Simba I miss
y'all so much my heart's broken

I love you so much I wish I could just go to
sleep but I can't

Gonna try and sleep I love you
OK well can't sleep... Goodnight

THIS IS

TORTURE



Mom I need you really bad

Waiting for my attorney to call back. He

Called when I was on the phone with Mom
I really hope he has good news. I Love my
Mom my brother and my girlfriend/future wife
So much. I miss my Mom the most tho...
She truly is

I love you so ^{much} ~~much~~ ^{mom} my best friend ♡
I would do anything for any of you. Without

Yall i'd be Nothing we've all been thru so much
but we went thru it as a team. We are such a
Great Family and I can't wait to be reunited with
you three. I Love you all more than you will ever
know!!! Thank you for everything. ♡ Wow... I
Miss you so much...

Mom I Love you so much I
Can't say it enough ever you really mean
so much to me I can't wait to see
you and hug you for 6 hours
I really can't wait to see you I feel
like it's been weeks... About to take first
shower in just 1 hour it's Sunday and I
need one I'll write more when I get out I
love you so much mom your great  being in
here has really showed me how much I care
about you, Olma and Simba Y'all are my world
because none of you have left my mind for a split
second I love you ladies so much it's actually
crazy I never wanna spend a day away from
y'all after this talking shower I love you 
Honestly the shower wasn't as bad as I thought
it would be the water pressure sucked but it was
warm. I love you so much mom can't wait to see you

MOM You just called and the woman
told me you were thinking about me and my
heart broke. I'm thinking about you too &
always am I love you forever and
can't wait to see you I love you so much
I miss you so much too. ♥

I can't call on Sunday's and I'm broken
your voice is the only thing that's
holding me together now I can't even
hear it... I really hope you come save
me Monday MOM I NEED YOU.

The only thing I look forward to is
calling you and I can't even do that now
Please Save me

I Love You

I'm just writing thoughts down

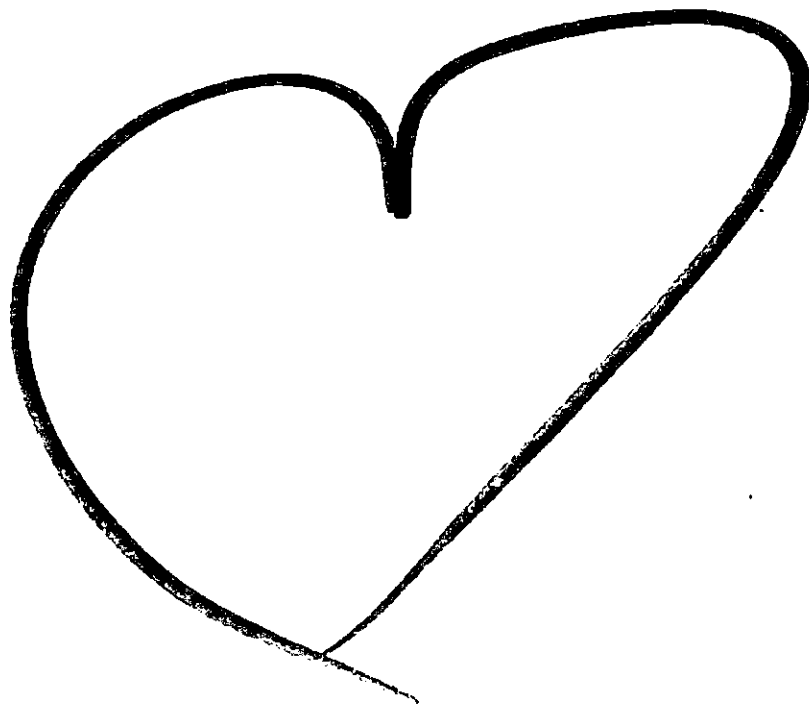
MOM IF your reading this I'm not
but I'm sitting on bed & I can't
stop thinking about you I can't get
your voice out of my head your so amazing
and I love you so much I can't wait to
give you the biggest warmest hug ever. You
mean everything to me I'm crying my eyes
out writing this just like the other ones I
Really hope you get re Monday, Mom it's so
hard seconds feel like minutes minutes feel like do
and days feel like weeks This is honestly the
hardest thing i've ever done. I wouldn't be hard
if I actually did a crime but I'm just so confused
I didn't do anything, but I love you so much
your my world I miss you more than anything
when I hug you I might not let go these
past couple days have been so hard I love you so
much mom I'm so so sorry I'm not with
you right now

5:15pm FROM ALI

TO: MY BEST FRIEND/MOM

I LOVE YOU SO

Much ^{Your} my
everything



JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

My Name is Alic Stanley which you already know
October 27th, 2020 I was removed from my home
because my mother failed a drug test. My Mom has
never put me in harm's way or my brother.
She has taken care of us both by herself
our whole lives because my father was murdered
in 2008. This whole situation started over
truancy. I was arrested in my bed at 11:00pm because
I did not make it to the court house because my Mom
had gotten her period and didn't take me. Neither of
us knew the consequences were going to be so
severe. The next night after I failed to take drug
screen I was arrested and sentenced to 11 days.
The 11 days came up I had virtual court with
Judge Logan. After being on the phone with my mom
and her telling me I'm getting out that day Judge
Logan decided to hold me for another 10 days on
an assault charge that never happened. To this
day I am not allowed to see my Mom. I love
her so much I have graduated I'm working
50 hours a week. We both have served jail time and
house arrest. This is all started over truancy
please just reunite us and let us be happy we
have suffered enough...

Alic Stanley !!